

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:06CR50
)	
v.)	
)	ORDER
RUDOLPH GEORGE STANKO,)	
)	
Defendant.)	
)	

Before the court are defendant's motions, Filing Nos. 24, 25, 26 and 27.

Motion for Bill of Particulars, Filing No. 24

Defendant has filed this motion asking the name of "the person the Defendant obtained anything of value for . . . by falsely representing his social security number on or about June 17, 2004?" Filing No. 24. The court has broad discretion in determining whether to grant or deny a bill of particulars. *United States v. Stephenson*, 924 F.2d 753, 762 (8th Cir. 1991). The court has reviewed the indictment and finds it clearly identifies the alleged crime. The court will assume that the government has its "open file" policy in place in this case and will permit the defendant to review and copy the contents. If that is not the case, the government must so notify the court within seven days of the date of this order. Accordingly, the court will deny the bill of particulars.

Motion for Discovery, Filing No. 25

Defendant requests that the government provide him with all of the discovery material that he is entitled to receive. Again, the court will assume that the government has its "open file" policy in place in this case and will permit the defendant to review and copy the same. To the extent that the government has any discovery information that defendant is entitled, the government is instructed to produce such information to the defendant. Accordingly, this motion is granted.

Motion for Transcript of Bail Hearing, Filing No. 26

Defendant requests a copy of his transcript for the bail and arraignment hearing. The defendant asks that the copy be at government expense. The defendant has not filed

a petition to proceed in forma pauperis. Consequently, his motion for a transcript at government expense is denied. Defendant is entitled to a copy of the transcript at his own expense. In the alternative, he can file a motion to proceed in forma pauperis and await the ruling by the court. Accordingly, this motion is denied.

Motion to Liberally Construe Pleadings, Filing No. 27

Defendant asks this court to liberally construe his pleadings. Because the defendant is appearing pro se, the court continually gives the defendant the benefit of the doubt with respect to all of his filings. Accordingly, this motion is denied.

IT IS ORDERED:

1. That defendant's motions, Filing Nos. 24, 26 and 27, are denied.
2. That defendant's motion for discovery, Filing No. 25, is granted to the extent set forth herein.

DATED this 29th day of March, 2006.

BY THE COURT:

s/ Joseph F. Bataillon
JOSEPH F. BATAILLON
United States District Judge